



The Judicial Branch News

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Record Numbers Adopt on NAD

By Presiding Juvenile Judge Eileen Willett

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If you wish to contribute to this newsletter, please send articles, news items, photos or other correspondence to:
karra@superiorcourt.maricopa.gov.

"Committed to the Timely, Fair and Impartial Administration of Justice."



"The Maasai in East Africa greet each other by asking, "*Kaserian ingera*"—And how are the children? The hoped for response is, "*Sapati ingera*"—All the children are well. The greeting is not intended to reference the children of the individuals speaking with one another, but rather all the children of the community. The practice encourages local elders to shift the focus of even casual conversation to the well being of all the children in the community. A community that treasures first and foremost its children is a community that will thrive.



Judge Eileen Willett welcomes a family to sit with her on the Bench following an adoption hearing.

On Saturday November 15th, Maricopa County treasured first and foremost its children. Juvenile Court celebrated its 9th annual National Adoption Day, and 205 children went home to their forever families. With the help of 21 judicial officers, hundreds of volunteers, and hours of work by a committee of dedicated court employees and community stakeholders, 10 Durango courtrooms were filled with happy parents and smiling children finalizing their adoptions.

National Adoption Day is celebrated in all 50 states and is intended to raise awareness regarding the 129,000 children in foster care across the country who are waiting to be adopted. Maricopa County's event is one of the largest in the country. Amidst balloons, cake, ice cream, clowns, information booths, family portraits, games, face painting and special guests like *The Incredibles*, the Arizona Cardinal's *Big Red*, and the *Phoenix Suns'* *Gorilla*, people interested in obtaining information about the adoption process were welcome to watch an adoption hearing, talk with adoption professionals, ask questions and learn everything they needed to know about adopting a child of their own.

Thank you to everyone who spent their Saturday at Juvenile Court celebrating the importance of a safe, loving, permanent family for every one of our infinitely precious children.

Adoption Day 2008 Highlights



Court News and Notes

Adoption Day Publicity Leads to an Adoption



Stephanie Martin holds Shane Cisco Martin, the couple's newly-adopted son, during a family portrait at National Adoption Day.

Michael and Stephanie Martin's adoption of Shane Cisco is proof that National Adoption Day raises awareness to the needs of children who seek forever families.

Two years ago, the Martins read an article about National Adoption Day in *Arizona Parenting Magazine*, which prompted them to attend the event. Their experience at adoption day proved to be the deciding factor in the family adopting a child.

"We were considering adoption for some time," Michael said. "We were so moved by National Adoption Day and all of the happy families, we knew we had to adopt."

On National Adoption Day 2008, the Martins finalized their adoption of Shane Cisco. The Martins now have three sons: Shane Cisco, 2, Austin, 10, who is their biological son and a foster child.

Juvenile Law Symposium

On November 1, a Juvenile Law Symposium was held at the Sandra Day O'Connor College of Law at Arizona State University in Tempe, Arizona. This event resulted from the collaborative efforts of the Law School, the Maricopa County Juvenile Court, the Volunteer Lawyers Program, the Administrative Office of the Court and Casey Family Programs.

The Symposium's "Practice 101" provided attendees with an overview of juvenile court practice as well as the rewards involved with working for and on behalf of children. This event was intended to encourage lawyers and law students to volunteer their services pro bono for the Juvenile Legal Assistance Program, aka JLAP. The Juvenile Court has partnered with the Law School to implement JLAP at both Juvenile Court Centers in Maricopa County.

Symposium - Continued on page 6

Library and Self-Service Center Tip: New Form

The Maricopa County Superior Court Self-Service Center has a new form available for the public in Family Court cases. This new form allows parties to change or modify child support amounts by agreement. In order to use the form, the parties must have a current child support order entered in Maricopa County and agree to modify the court order.

If either party is using the child support collection or enforcement services of the State, the parties will also need to have the signature of the Attorney General's representative from the Division of Child Support Enforcement. The form cannot be used to modify any child support arrearages or if the request is because the living arrangements of the children have changed but the court order about custody and visitation has not.

The Self-Service Center provides forms to modify child support when the parties are not in agreement and to stop an order of assignment.

If you or a customer have questions about these or any other Self-Service Center forms, contact the Self-Service Center Supervisor on a walk-in basis at your court facility or email us at services@sccl.maricopa.gov for more information.

Submitted by Jennifer Murray
Law Library

Q and A: Judge Randall Warner

Judges who have joined the bench over the past several months are being featured in a question-and answer feature that runs regularly in the Judicial Branch News.

Q. What has surprised you the most about your transition from attorney to judge?

How little interaction I have with other judges on a day-to-day basis. Some days I don't see another judicial officer all day. In a law firm, you can always walk down the hall and pick someone's brain about a pressing issue, or you run into people in the break room and chit chat about your cases. But here everyone is always on the bench and multiple elevator rides away. My main source of contact with other judges is e-mail.



Randall Warner

Q. Before joining Superior Court, you specialized in commercial litigation and appellate work. How did those assignments prepare you for your career as a judge?

They didn't prepare me at all for the kind of quasi-social work you do in custody cases. They also didn't prepare me to decide who is telling the truth, as you often have to do as the factfinder in family cases.

My areas of practice did give me a solid foundation in legal analysis and reasoning, which is something you need no matter what calendar you are on. They also gave me a healthy respect for the tough job lawyers have. Like a lot of judges, I'm sometimes disappointed in the lawyering I see. But I try not to forget that in many ways I've got the easiest job in the courtroom. It's the lawyers that have the hard job.

Q. You began your legal career clerking for Justice Thomas A. Zlaket of the Arizona Supreme Court. How did that experience influence your career path?

I don't know that it influenced my career path. People who become judicial clerks tend to be the kind of people who want to be judges one day. But my experience with Justice Zlaket did influence my career in lots of ways. His insistence on brevity in legal writing, his reverence for the legal profession, and his obsession with professionalism — these are all values I've carried with me throughout my career.

Q. You were a partner at Jones, Skelton and Hochuli. Did Ed Hochuli, a partner at the firm and National League Football referee, offer you any advice when you left the law firm or make any analogies about the duties of a judge and the work of a NFL football referee?

He told me: "Always keep your eye on the ball, otherwise it's apt to hit you in the backside." Okay, I made that up. Ed was a generous and gracious partner, but he didn't really talk about refereeing at the office.

Q. What's your favorite quote?

"Imagination is more important than knowledge." Einstein said that in a time before computers, and it has even more force today. I can put everything I need to know about a subject on a jump drive, but there is no electronic substitute for human creativity.

Q and A: Judge Randall Warner - Continued

Q. If you had a day to spend with anyone (living or dead, real or fictional), who would it be and what would you do?

Lincoln. I would just sit and listen to his stories.

Q. Do you own an IPOD and what kind of music is on your playlists?

I've got a Shuffle. On any given day, you're likely to find Jakob Dylan's new CD (best release of the year), Calexico, Neko Case, Ryan Adams, Ben Folds and the Drive By Truckers. You might also find U2, Benny Goodman, Metallica, Ayatollah, Tan Dun, Buddy Holly, Regina Spektor, the Carpenters or a podcast of The Splendid Table.

Probation Employees Recognized

On October 30, 2008, Statewide Annual Arizona Probation Employee Recognition Day, three Maricopa County Juvenile Probation Department employees received awards.

Kate Hansen

Safe School Probation Officer
Probation Officer of the year

Leslie Anderson

Safety Coordinator
Trainer Excellence Award
Defensive Tactics

Olivia Omotingubon

Detention Officer
Trainer Excellence Award
Detention Training

Submitted by Carol Boone
Juvenile Probation

Criminal Tower Project Update

The Maricopa County Board of Supervisors approved several budget and contract provisions in support of the Criminal Tower project.

The SE Court expansion (Mesa), SW Regional Court (Avondale) and the First Ave Jail demolition projects have been placed on hold until better budget times. Monies from these projects are being directed to the criminal tower project.

Based on the board actions, the County will proceed with detailed design of the new 32-courtroom facility, demolition of the Madison Street parking garage, site preparation and ordering of steel. The project remains on schedule, with occupancy of the new courthouse targeted for the year 2012. When it opens, there will be 22 finished courtrooms and shelled space for the additional 10 courtrooms planned for the future.

On behalf of Presiding Judge Mundell and the judicial leadership, our thanks go to the members of the Maricopa County Board of Supervisors and County management for their continued support of our court space needs.

We also take this opportunity to thank the many judicial officers, court staff, stakeholders and the architects involved in programming and schematic design for the criminal tower.

Submitted by Marcus W. Reinkensmeyer
Court Administrator

Juvenile Law Symposium Continued from Page 3

There is a critical need for legal services within the Juvenile Court. The Court's Community Services Unit or CSU helps children and families with early intervention and resolution options to prevent or eliminate children's involvement in the juvenile justice and child welfare systems. But the CSU cannot provide legal information or advice. JLAP will allow court services to go "one step further" by offering brief on-site legal assistance.

Dean Paul Schiff Berman of the Law School and Associate Presiding Judge Jean Hoag gave opening remarks to more than 80 law students, lawyers and community partners. Kristine Reich, pro bono director at the law school emceed the event. Attendees heard from practitioners in both the government and private sectors of the juvenile justice and child welfare systems. Juvenile Court Administration gave an inside view of programs and services available through the court. Attendees heard perspectives from the bench from Commissioners Peter Thompson and Jeffrey Rueter. Commissioner Thompson's comments closed the day and hopefully inspired volunteers.

JLAP will promote the court's goals to enhance and improve service delivery to and access by our children and families. Equally important is the training of the future lawyers who will work daily in our Courts. JLAP will give volunteer law students and lawyers added knowledge and awareness of this unique practice area and help them develop the skills and experience necessary to best represent their future clients. All in keeping with the Court's Motto: "**Believing in the Future of Children**".

Submitted by Jeannette Bickner,
Collaborations Director Juvenile Court

Still Time to Complete the Employee Satisfaction Survey

Mon	24-Nov	11:30 - 1:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Mon	24-Nov	11:30 - 1:30	SEF	1810 So Lewis	Cactus Room
Tue	25-Nov	11AM - 1PM	NWRC	14264 W Tierra Buena Ln	Jury Assembly Room
Tue	25-Nov	11:30 - 1:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Mon	1-Dec	11:30 - 1:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Tue	2-Dec	11:30 - 1:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Tue	2-Dec	2 - 4 PM	DTN	601 West Jackson St. (CSC)	Sonoran Conf Rm
Thu	3-Dec	9 - 11 AM	DTJC	620 W. Jackson St	3rd Floor Training Rm
Wed	3-Dec	11:30 - 1:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Wed	3-Dec	11:30 - 1:30	NERC	18380 No 40th St	Multi Purpose Room
Thu	4-Dec	11:30 - 1:30	SEF	222 W Javelina, Mesa	Judges Dining Rm
Thu	4-Dec	3 - 5 PM	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Mon	8-Dec	11:30 - 1:30	SEF	222 W Javelina, Mesa	Judges Dining Rm
Mon	8-Dec	11:30 - 1:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Tue	9-Dec	11:30 - 1:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Wed	10-Dec	3 - 5 PM	DTN	ECB Law Library 3rd Fl	Cordova Training Rm
Thu	11-Dec	7:30 - 9:30	DTN	ECB Law Library 3rd Fl	Cordova Training Rm

Exploring the Need for a Veteran's Treatment Court in Maricopa County

In October 2008, Judge Mundell signed an Administrative Order establishing a Veteran's Treatment Court Exploratory Committee. Retired Superior Court Judge Ken Fields is appointed chair of the committee with the first meeting held in October 2008. The meeting resulted in five workgroups formed that address the areas of:

- Assessing the need at the city court level
- Identifying training needs for first responders
- Grant and funding searches
- Exploring existing resources for combat veterans
- Identifying other agencies serving veterans that can lend resources

The purpose of the Committee is to organize and coordinate government and community-based services which will provide assistance to combat veterans who have entered the court system. The perception of many veterans who have entered the court system is that they are "overlooked", turned away or intimidated by the Veteran's System, employers and treatment systems. As a result they end up disconnected from community supports. Not surprisingly, the Judiciary within Maricopa County is hearing cases with increasing frequency that involve veterans suffering from psychological injuries.

Throughout history, a variety of terms were used to describe the psychological injuries incurred by combat veterans from the Civil War to the Vietnam War. These terms include soldier's heart, nostalgia, shell shock and battle fatigue. We now recognize these mental health problems as Post Traumatic Stress Disorder (PTSD).

PTSD is a psychological condition that occurs after an extremely traumatic or life threatening event, and has symptoms including persistent recollections of the trauma, heightened alertness, nightmares, insomnia and irritability. In the aftermath of the Vietnam War, the Congressionally-mandated National Vietnam Veteran's Readjustment Study (1988) estimated that approximately 15 percent of service members suffered PTSD during the conflict and as many as 30 percent suffered PTSD at some point after their service.

The prevalence of mental health injuries among Iraqi War veterans is equivalent to that of Vietnam vets, and may in fact be higher.

Within the military and among recent veterans, there is a heavy stigma attached to receiving mental health treatment. Soldiers and Marines are concerned that they will be seen as weak by their fellow service members. They also worry about the effect of a mental health diagnosis on their career. As a result, many troops who need care do not seek treatment.

The issues resulting from untreated mental health wounds do not end when the service member returns home. PTSD can be crippling for veterans, and exacts a severe toll on their families and communities. Many symptoms of PTSD can lead to a lifestyle that is likely to result in criminal behavior and/or sudden outbursts of violence.

Fortunately, for those suffering from PTSD, a variety of treatments are available. The Superior Court, along with partners from Veterans Administration, AZ Brain Injury Association, Magellan, Public Defender and County Attorney offices, Adult Probation, Snell and Wilmer Law Firm, retired combat veterans, City of Phoenix, Mesa Police Department, the Supreme Court, and other entities serving combat vets, are beginning the conversation to identify the best response to diverting this population from the traditional criminal justice system and to bridge the gaps in resources and services available to this population.

Court Steps Up Restitution Collection

Over the past several months, the collections unit has undergone some significant changes.

In recognition of the ever-increasing importance of maintaining focus on collections, the executive team and the County Office of Management and Budget (OMB) authorized the addition of a probation officer supervisor to the collections unit to act as a liaison with the Clerk's office, Administrative Office of the Courts and county administration. This position will strive to improve communication and understanding between the collections unit and the Adult Probation Department. To enhance the effort, Kendra Neal, a collector with the collections unit, was promoted to the position of Collections Supervisor.

One of the most exciting changes to FINCOM (Financial Compliance) has been the addition of a "restitution court". Judge Roland Steinle presides over the court. These hearings are not a probation revocation process; rather the hearings determine if the defendant is in civil contempt for noncompliance with a court order. The Judge hears a small number of cases, usually 12-15 a month.

Judge Steinle is extremely excited about this court. Because of his experience in Family Court, he has seen first hand how effective it can be. Restitution Court was first held on September 5th and has held a total of three sessions to date. Because of these sessions, a total of \$27,852 in restitution has been collected for victims.

APD continues to develop the formal criteria for the Court. Below is an overview of the process:

The defendant should be at least six full months delinquent in restitution and, per policy, has been referred to the collections unit. In order to help meet the Managing For Results goal of providing victim service, priority will be given to cases in which the victim is a private individual who has "opted in" and is actively in communication with the department. Once a defendant has been accepted, the assigned field officer has no additional paperwork to complete. In addition:

- The Court will be notified approximately one month prior to the hearing date of the individuals to be added to the calendar.
- The Court will generate a minute entry ordering the defendant to appear for an Order to Show Cause hearing. The minute entry instructs to bring tax returns, pay stubs and any other financial documentation. This minute entry, will be posted in ICIS, mailed to the defendant by the Court and a second copy mailed by the FINCOM program.
- Probation officers must communicate with the defendant confirming the court date and document the information in APETS.

On the day of the hearing, a representative of FINCOM will be in Court. The defendant will answer why he or she is delinquent, and how he or she plans on addressing the delinquency. The Court can exercise the following options:

- The most severe sanction would be for the Judge to find the defendant in Contempt of Court and orders the defendant taken into custody. The defendant would then remain in custody until the next court date or until the purge amount was paid. The purge amount would normally be equal to the amount of delinquency. Once paid, the funds would be forwarded to the clerk's office for disbursement to the victims. While in custody, depending on the Court's order, the defendant would be allowed to participate in either work furlough or release. This is very similar to the process used to collect delinquent child support orders.
- The Court can find the defendant in Contempt and have this enter into a payment agreement to avoid further sanctions, or enter directly into a payment plan. If the Court makes one of those rulings, the defendant is scheduled for a second hearing, usually the next month. The payment agreements are usually for the total amount of the delinquency and must be paid in full by the next court date. If the delinquent amount is substantial, the plan will include sizable weekly payments.
- It's anticipated this court will continue to show the results it has to date. If so, a proposal to expand the program will be forthcoming.

Courtside

Photo Highlights



Mike Benitez, a court reporter assigned to Judge Arthur Anderson's courtroom, plays piano on a makeshift stage created by Judge Anderson and his staff. Benitez performed his rendition of *Mack the Knife* during Maricopa County's Last Talent Standing competition.



The basement of the Central Court Building was excavated as part of the CCB remodeling project. Once the remodel is finished, the basement will feature four courtrooms and office space. The project is expected to be completed in April of 2009.



To save money and relieve the long wait of visitors, Superior Court closed entrances to the Downtown Court Complex and expanded its busiest entrance, the north entry to the lobby of the Central Court Building. (Above) Security Officers screen court customers entering the newly-remodeled CCB lobby.